

MINUTES

ALCOHOL AND TOBACCO COMMISSION

FEBRUARY 15, 2011

CALL TO ORDER/NOTING OF QUORUM

Chairman Massa called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Sturtz and Commissioner Guthrie. Executive Secretary Dunsmore and Superintendent Huskey were also in attendance.

Marc Carmichael, Jim Purucker, John Barnett, Jeff McKean, Lisa McKinney, Debbie Rolfsen, Bart Herriman, Mary Walker, and Greg Genrich were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the February 8, 2011 meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Vice Chairman Johnson moved to approve the parties' agreed dispositions that were submitted for the February 15, 2011 meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Commissioner Sturtz moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by our staff with the authority of the Commission. Vice Chairman Johnson seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permit applications for a new permit, which includes the tabled applications, or applications for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners. Commissioner Guthrie seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permit applications for catering. Vice Chairman Johnson seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permits to be placed in escrow for not more than five years, which have been reviewed and recommended by a Commissioner as appropriate for escrow. Commissioner Guthrie seconded. The motion was unanimously approved.

Two hundred fifty-three (253) permits approved for renewal, thirty-two (32) new and/or transfer permits approved, one (1) permit approved for catering, three (3) permits approved for first year escrow, four (4)

permits approved for second year escrow, two (2) permits approved for third year escrow, three (3) permits approved for fourth year escrow and one (1) permit approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Commissioner Sturtz seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR18-07526 RA-DA-RNA, INC., D/B/A RED SLIPPER - Commissioner Guthrie noted this is a type 210 renewal with the local board voting four (4) to zero (0) to approve for one year.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the renewal. Commissioner Sturtz seconded. The motion was unanimously approved.

RR18-01693 STEVE'S BAR CORP., D/B/A STIRLING'S BAR & EATERY – Commissioner Guthrie noted this is a type 210 renewal with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the renewal. Vice Chairman Johnson seconded. The motion was unanimously approved.

RR18-01693 BRAD SULLIVAN, INC., D/B/A SHOW ME'S RESTAURANT – Commissioner Guthrie noted this is a type 210 transfer of ownership and location with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the transfers. Commissioner Sturtz seconded. The motion was unanimously approved.

INACTIVE FILES

INACTIVE FILES- Vice Chairman Johnson moved to make sixteen (16) permits inactive. Thirteen (13) permits are not subject to auction and three (3) permits are subject to auction. Commissioner Guthrie seconded. The motion was unanimously approved.

RR22-01324 PAULINE'S, INC. - Commissioner Guthrie stated this permit was made inactive. The permittee suffered a stroke and also has Alzheimer's and, therefore, has allowed the permit to lapse. Permittee's son requests the Commission reactivate the permit, so he can operate the business.

Commissioner Guthrie moved to approve the reactivation. Commissioner Sturtz seconded. The motion was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

RR49-23321 AREA PROPERTY INVESTMENTS, LLC – Commissioner Guthrie stated the permittee is requesting permission to file renewals and a transfer on this permit. The permit expired in 2008 and no renewals have been filed. There is also a pending violation, which includes an order for transfer of ownership and a fine.

Commissioner Guthrie moved to approve the request pending all paperwork is filed, along with payment of fees for all renewals, transfers and the fine. Vice Chairman Johnson seconded. The motion was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

Approved this _____ day of _____, 2011.

MARK S. MASSA, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER